

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR  
SYSTEMS PRODUCTS LIABILITY  
LITIGATION

Master File No. 2:12-MD-02327  
MDL 2327

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ETHICON WAVE 11 CASES LISTED IN  
EXHIBIT A TO PLAINTIFFS' NOTICE  
OF ADOPTION

JOSEPH R. GOODWIN U.S. DISTRICT  
JUDGE

**NOTICE OF ADOPTION OF PRIOR RESPONSE IN OPPOSITION TO  
DAUBERT MOTION TO EXCLUDE EXPERT TESTIMONY OF  
MARSHALL SHOEMAKER, M.D. FOR WAVE 11**

In response to Plaintiffs' notice adopting their prior Wave 5 *Daubert* motion as to Marshall Shoemaker, M.D. (Doc. No. 8510 (adopting Doc. Nos. 4328 – motion & 4329 - memorandum of law)), Defendants hereby adopt and incorporate by reference their *Daubert* response as to Marshall D. Shoemaker, M.D. for Ethicon Wave 5 (Doc. No. 4551). Defendants respectfully request that the Court deny Plaintiffs' motion for the reasons expressed in the Wave 5 response briefing.

This notice applies to the Wave 11 cases identified in Plaintiffs' Exhibit A.<sup>1</sup>

Respectfully submitted,

/s/ William M. Gage

William M. Gage (MS Bar #8691)  
Butler Snow LLP  
1020 Highland Colony Parkway  
Suite 1400 (39157)  
P.O. Box 6010  
Ridgeland, MS 39158-6010  
(601) 985-4561  
William.gage@butlersnow.com

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<sup>1</sup> Defendants note that one of the cases listed in Plaintiffs' Exhibit A has been dismissed without prejudice and closed (Anthony, Deanna, Case No. 2:12-cv-06831). Another case listed in Plaintiffs' Exhibit A has been moved from Wave 11 to Wave 12 (Shea-Towers, Deborah & Brian, Case No. 2:13-cv-01540). No response is required in these matters at this time.

/s/ Susan M. Robinson

Susan M. Robinson (W.Va. Bar #5169)

Thomas Combs & Spann PLLC

300 Summers Street

Suite 1380 (25301)

P.O. Box 3824

Charleston, WV 24338

(304) 414-1800

srobinson@tcspllc.com

Counsel for Defendants

**CERTIFICATE OF SERVICE**

I certify that on this date I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage

William M. Gage

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